

City of Bondurant

Planning and Zoning
Commission 200 2nd St NE,
PO Box 37
Bondurant, IA 50035



Meeting Minutes

DATE: January 11, 2024

Karen Keeran, Chair

1. Call to Order 6:00 pm

Place Bondurant City Hall (200 2nd St NE, PO Box 37)

Special Note: Due to concerns of the COVID-19 virus and social distancing recommendations, access to the meeting was also provided through a virtual meeting.

2. Roll Call

Members Present: Karen Keeran (Chairperson), Andy Mains (Vice-Chairperson), Kristin Brostrom, Brian Clayton, Ethan Pitt, Jesse Torres

Members Absent: Jason Vore

City Official Present: Isaac Pezley, Matt Sillanpaa

3. Perfecting and Approval of the Amended Agenda

Motion by Commission Member Vore, seconded by Commission Member Torres to approve of the December 14, 2023 amended meeting agenda. Vote on Motion 5-0-0. Motion carried.

4. Approval of Minutes

Motion by Commission Member Mains, seconded by Commission Member Torres to approve of the December 14, 2023 meeting minutes. Vote on Motion 6-0-0. Motion carried.

5. Guests requesting to address the Planning and Zoning Commission

6. Action Items

- a. PUBLIC HEARING – Text amendment to Section 177.04. of the Zoning Code regarding setback requirements for accessory structures.

Public Hearing opened at 6:03.

Pezley stated this text amendment stems from a citizen request. The citizen proposed an accessory structure that would be located approximately 3' from the primary structure. The accessory structure would feature firewalls along the two sides directly abutting the primary structure. Currently, City Code requires all primary structure be at least 6' from primary structures

Pezley stated communities around the Des Moines metro vary in accessory structure setback requirements. Some communities have a set distance, other allow accessory structure to encroach if they meet primary structure setback requirements and one community allows for the accessory structure to encroach if fire walls are built into the accessory structure. The proposed text amendment staff is presenting is accessory structure with fire walls and are approved by the Fire Marshall may be as close as 3' to the primary structure.

Mains expressed concerns about how good a firewall is if the roof has no additional fire protection. Mains asked if it has been reviewed by Fire Marshall. Pezley stated the building officials stated they have no objection but would like the Fire Marshall to review. The Fire Marshall stated he has no objection but would like to review them. The Commission had further discussion about fire concerns and concerns about fire spreading.

Torres asked what the building code stated. Pezley stated he sent it for review by the City's Building Official and he stated he was okay with the text amendment if the Fire Marshall signs off on it. Pezley stated he does not enforce building codes, so he is not familiar with what the building code requirements are. If this text amendment is approved, the only change in review is the inclusion of Fire Marshall review.

Commission members had discussions about fire concerns about concerns about uniformity in neighborhoods. Commission and staff discussed the current process to construct an accessory structure on a property and how that would change if this text amendment was approved.

Pezley asked if requiring encroaching accessory structures to meet primary structure setback requirements would change the Commission members' thoughts. Pezley stated if the Commission would like to table this text amendment and think about that staff would be in favor of that.

Public Hearing closed at 6:18.

- b. RESOLUTION PZ-240111-01 – Considering recommended approval of text amendment to Section 177.04 of the Zoning Code regarding setback requirements for accessory structures.

Commission asked staff to bring back the text amendment with more options to review.

Motion by Commission Member Mains, seconded by Commission Member

Clayton to table RESOLUTION PZ -240111-01.

Roll Call – Ayes: Commission Member Clayton, Commission Member Keeran, Commission Member Brostrom., Commission Member Torres, Commission Member Mains Nays: none. Abstentions: none. Absent: Commission Member Vore. Vote on Motion 6-0-0. Motion carried.

- c. PUBLIC HEARING – Text amendments to the following sections of the Zoning Code: 179.01, 180.04, 180.05., 180.07. regarding setback requirements for stormwater detention and retention areas.

Public hearing opened at 6:20.

Pezley stated this text amendment proposes a five-foot setback requirement before any grading for stormwater areas begin. Pezley stated there is not very much precedence for this and all of the code staff found from metro communities was in regards to keeping detention/retention basins out of landscape buffer yards. Pezley stated there are multiple codes proposed to be amended, however, most of them are references back to the five-foot setback requirement.

Brostrom expressed concerns about how you would review this and enforce it. Brostrom stated it would be difficult to differentiate between general site grading and grading for the stormwater basin. A better approach might be five-feet from the elevation for the 100-year water level or overflow water level.

Clayton provided new members information on how this text amendment came about. Clayton stated five-foot is a good start. Torres asked Brostrom how Urbandale enforces this. Brostrom explained what Urbandale's regulations are. Brostrom stated in practice, stormwater basins are generally set back to allow for general maintenance and placing these ponds/basins right next to property lines would create issues. Brostrom suggested there are other ways to go about this such as requiring a maintenance strip no steeper than a 10:1 around the basin. Commission members discussed the possibility of a maintenance strip and the slope the Commission would like to see.

Commission asked what other communities have codified. Pezley stated his understanding is most of the grading is best practices and other communities do not have requirements. Brostrom stated they do not allow grading steeper than a 3:1, however she stated the pond the Commission has referred to sounds like it may be steeper than this and may be a mistake on the developer's part. Torres asked if stormwater basins are expected by the City, Pezley stated he believes so but he does not know if they are inspected by Public Works or by Veenstra & Kim.

Keeran asked Brostrom would recommend. Brostrom stated she does not think this is necessary, however, if code is adopted she would prefer a maintenance strip of a certain width with a maximum slope applied to it.

Generally, the outer edge of detention basins is the 100-year high water mark. Brostrom stated there is some guidance on maintenance paths around detention basins, but she is not sure what they are off-hand.

Commission discussed tabling this text amendment proposal and bringing back after some additional discussion. Commission members discussed some additional changes that could be made to the text amendment.

Public hearing closed at 6:37.

- d. RESOLUTION PZ-240111-02 – Considering recommended approval of text amendments to the following sections of the Zoning Code: 179.01., 180.04., 180.05., and 180.07. regarding setback requirements for stormwater detention and retention areas.

Motion by Commission Member Mains, seconded by Commission Member Clayton to table RESOLUTION PZ -240111-02.

Roll Call – Ayes: Commission Member Clayton, Commission Member Keeran, Commission Member Brostrom., Commission Member Torres, Commission Member Mains Nays: none. Abstentions: none. Absent: Commission Member Vore. Vote on Motion 6-0-0. Motion carried.

- e. 2024 Election of Officers

Motion by Commission Member Clayton, seconded by Commission Member Torres to appoint Commission Member Keeran as Chairperson and Commission Member Mains as Vice-Chairperson.

Roll Call – Ayes: Commission Member Clayton, Commission Member Keeran, Commission Member Brostrom., Commission Member Torres, Commission Member Vore Nays: none. Abstentions: none. Absent: Commission Member Mains. Vote on Motion 6-0-0. Motion carried.

- f. 2023 Planning & Zoning Commission Annual Report

Pezley presented the Annual Report detailing Commissioner attendance and providing a brief overview of all items reviewed by the Commission.

7. Discussion Items –

8. Reports / Comments and appropriate action thereon

- a. Commission Members

Brostrom – none.

Clayton – Clayton asked if there are any plans for the Harvest Meadows Commercial Plat next to Caseys. Pezley stated not at this time.

Mains – none.

Pitt – no “s” on last name.

Torres – none.

Vore –absent.

Commission Chair – asked to publish something about property owner’s responsibility to the water main, not the water meter.

- b. City Administrator – absent.
- c. Community Development Director – absent.
- d. City Planner – stated a couple of site plans for next month.
- e. City County Liaison – none.

7. Adjournment

Motion by Commissioner Mains, seconded by Commissioner Clayton to adjourn the meeting. Vote on Motion 6-0-0. Motion carried. Meeting adjourned.